IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1002 of 2005 (S/S)

1. Bhuwan Chandra Pandey
   R/o Village-Binola
   Post-Binola, District Bageshwar
2. Dhan Giri Goswami
   S/o Dev Giri Goswami
   R/o Village – Dongri
   Post- Chauhra, Bageshwar
3. Sunil Dutt Pandey
   S/o Late Kesav Dutt Pandey
   R/o Village-Silangwari, Post Lakhari
   Bageshwar.
4. Devindra Vikram Singh
   S/o Hayat Singh
   R/o Village –Dongri, Post-Chauhra
   District- Bageshwar. …….Petitioners

Versus

1. Mukha Maha Prabandhak
   Uttaranchal Jal Sansthan- Dehradun.
2. Maha Prabandhak
   Uttaranchal Jal Sansthan- Nainital.
3. Adhisashi Abhiyanta
   Uttaranchal Jal Sansthan
   Bageshwar …….Respondents.

Shri B.S. Adhikari, learned counsel for the petitioners.
Shri J.P. Joshi, learned counsel for the respondents.

Hon'ble Prafulla C. Pant , J

Learned counsel for the parties are present.

2. Head.

3. By means of this petition, the petitioners, who were appointed as Beldars/Chowkidars on daily wages with Jal Nigam/Jal Sansthan, have sought their regularization in services as Pump Operators.

4. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. o1,*** wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularized against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioners against the post of Pump Operators, as such, the petition is liable to be dismissed.

6. The writ petition is dismissed. Interim stay order, if any, stands vacated. However, their regularization already made against Class IV post shall not be affected by this order. (All pending applications also stands disposed of).

(Prafulla C. Pant, J.)

Dt. 21.11.2006
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